

Application No.: 10/568,503
Amendment dated December 30, 2008
Reply to Office Action of October 10, 2008

Docket No.: 1599-0315PUS1

REMARKS

Claims 1-12, 14-20, 22 and 23 are pending. No new matter has been added by way of the present submission. For instance, claims 13 and 21 have been cancelled and claim 20 has been amended to relate to a method of treating apoptosis as supported by claim 20 as originally filed. New claim 22 and 23 are supported by the specification as filed. Thus, no new matter has been added.

In view of the following remarks, the Examiner is respectfully requested to withdraw all rejections and allow the currently pending claims.

Petition under 37 C.F.R. § 1.48(a)

On July 18, 2008, Applicants submitted a Petition under 37 C.F.R. § 1.48(a) to add an inventor (Jeong Hui Seong) to the application. Applicants respectfully request that the Petition be acted upon and granted as being proper.

Objection to claim 13

The Examiner has objected to claim 13 for the reasons recited at page 2 of the outstanding Office Action. Applicants respectfully traverse this objection as claim 13 has been cancelled. Thus, this rejection is moot. Reconsideration and withdrawal of the objection are respectfully requested.

Issues under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 12-20 under 35 U.S.C. § 112, first paragraph for the reasons cited at pages 2-9 of the outstanding Office Action. Applicants respectfully traverse this rejection.

The Examiner has asserted that the Specification, while being enabling for treatment of apoptosis does not reasonably provide enablement for prevention of inflammation and treatment of the disorders delineated at page 3, first full paragraph of the outstanding Office Action. Applicants respectfully disagree, however, in an effort further prosecution, the claims have been amended so as to relate to a method of treatment of apoptosis. The Examiner is respectfully requested to refer to the present working examples (experiments 2, 3 and 6, which explicitly show the therapeutic effects of the present compound for acute hepatitis, liver cirrhosis and rheumatic arthritis).

In view of the above, Applicants respectfully submit that the present claims fully satisfy the requirements of 35 U.S.C. § 112, first paragraph. Reconsideration and withdrawal of this rejection is respectfully requested.

Issue under 35 U.S.C. § 101

The Examiner has rejected claim 21 under 35 U.S.C. § 101. Applicants respectfully traverse this rejection and submit that claim has been cancelled. Thus, this rejection is moot. Reconsideration and withdrawal of this rejection is respectfully requested.

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Allowable Subject Matter


The Examiner has indicated that claims 1-11 are allowable. However, Applicants submit that in view of the above, 12, 14-20, 22 and 23 are also in condition for allowance. The Examiner is therefore respectfully requested to withdraw all objections and allow the currently pending claims.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie (Registration No. 42,874) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: December 30, 2008

Respectfully submitted,

By 

Craig A. McRobbie
Registration No.: 42,874
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant